

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
SOUTHERN DIVISION
Case No. 7:24-cv-1112-M

| | | |
|-------------------------------|---|--------------------------------------|
| TIMOTHY HANKINS, |) | |
| |) | |
| Plaintiff, |) | |
| |) | |
| v. |) | DEFENDANT JENNIFER R. SMITH'S |
| |) | MOTION TO DISMISS |
| ZURICH NORTH AMERICA, et al., |) | |
| |) | |
| Defendants |) | |

Defendant Jennifer R. Smith moves to dismiss Plaintiff's Complaint [D.E. 1] pursuant to Fed. R. Civ. P. 12(b)(6) on the grounds that Plaintiff's Amended Complaint fails to state a claim upon which relief may be granted.

WHEREFORE, Defendant Jennifer R. Smith respectfully prays the Court that:

1. Plaintiff's Complaint be dismissed with prejudice;
2. The costs of this action be taxed against Plaintiff;
3. Defendant Smith have such other and further relief as the Court may deem just and proper.

This the 10th day of January, 2025.

BAILEY & DIXON, LLP

By: /s/ J.T. Crook

J.T. Crook (jcrook@bdixon.com)

N.C. State Bar No. 35232

Attorneys for Defendant

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CERTIFICATE OF SERVICE

The undersigned attorney for Defendant Jennifer R. Smith hereby certifies that a copy of the foregoing was filed this day with the United States District Court for the Eastern District of North Carolina using the CM/ECF system for all registered parties, and also duly served by United States Mail, first-class postage pre-paid, and addressed as follows:

Timothy Hankins
60 Randolphville Rd. NE
Bolivia, NC 28422
hankinsomar@gmail.com
Plaintiff

This the 10th day of January, 2025.

BAILEY & DIXON, LLP

By: /s/ J.T. Crook
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